

THE HON'BLE SRI JUSTICE V.V.S. RAO
WRIT PETITION No.26386 of 2006
20.12.2006

Between:

A.S.Gurappa.

..Petitioner

And

The Revenue Divisional Officer (Appellate Authority) Under Section 7
of the A.P.(AA) Abolition of Inams Act, 1956, Tirupathi and others.

..Respondents

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ORDER:

Aggrieved by the orders of the second respondent, dated 25.07.2006, the petitioner herein preferred appeal under Section 7(2) of the Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Tyotwari) Act, 1956 (for short "the Act") before the first respondent. Alleging that the first respondent is biased in discharging his functions as an appellate authority in a manner prejudicial to the interest of the petitioner, this Writ Petition is filed. The petitioner seeks a writ of *Mandamus* directing the first respondent to transfer the entire record in appeal Rc.G.2200/2006, to any other competent officer.

Learned counsel for the petitioner mainly contends that almost all the claimants, who suffered adverse orders passed by the second respondent and who filed appeal before the first respondent, have an apprehension that the first respondent is biased and has abdicated his functions as superior authority. He also submits that the first respondent is exercising his statutory functions as dictated by powerful politicians and therefore, any exercise of powers by the second respondent under Section 7(2) of the Act, would be biased. He, however, does not dispute that there is no such provision, which empowers the first respondent to transfer the case pending on its file to any other officer. Even the District Collector, as Head of the Revenue Administration of the District, has no such power under the Act. Therefore, this Writ Petition is misconceived. Further, this Court observes that the ground of bias can be raised by the petitioner at the stage of revision under Section 14-A of the Act or subsequently in a Writ Petition.

The Writ Petition, with the above observation, is accordingly dismissed. There shall be no order as to costs.

(V.V.S.RAO, J)

20.12.2006
GJ